



United States Department of Agriculture

Natural Resources Conservation Service
Indiana State Office
6013 Lakeside Boulevard
Indianapolis, IN 46278
317-290-3200

April 5, 2016

Dave Navecky
Surface Transportation Board
Docket No. FD 35952
395 East Street SouthWest
Washington, DC 20423-0001

Dear Mr. Navecky:

The proposed Construction and Operation of a Rail Line in Indiana, Illinois, and Wisconsin (Docket No. FD 35952), as referred to in your letter received March 18, 2016, will cause a conversion of prime farmland.

The attached packet of information is for your use in completing Parts VI and VII of the AD-1006. After completion the federal funding agency needs to forward one copy to NRCS for our records.

If you need additional information, please contact Rick Neilson at 317-295-5875.

Sincerely,

A handwritten signature in blue ink that reads "Jane E. Hardisty".

JANE E. HARDISTY
State Conservationist

Enclosures

Helping People Help the Land.



USDA is an equal opportunity provider and employer.

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project GLBR Rail line		Federal Agency Involved			
Proposed Land Use		County and State La Porte county, Indiana			
PART II (To be completed by NRCS)		Date Request Received By NRCS 3-21-16		Person Completing Form: RWN	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Acres Irrigated	
				Average Farm Size 260 Ac	
Major Crop(s) Corn	Farmable Land In Govt. Jurisdiction Acres: 348283 % 90		Amount of Farmland As Defined in FPPA Acres: 283295% 73		
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS 4/5/16		
PART III (To be completed by Federal Agency)			Alternative Site Rating		
			Site A	Site B	Site C
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland			255.01		
B. Total Acres Statewide Important or Local Important Farmland			35.71		
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted			0.089		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value			51		
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)			75		
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	75	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	75	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					
Date:					

(See Instructions on reverse side)

Project: laporte glbr rail line

F.P.P.A. CALCULATION WORKSHEET

Site = A

Evaluator = RWN

S	P	Map Unit Symbol	Acreage	Relative Value	Acres x Value	Prime	StateWide
x		Ad	0.60	88	53.05	0.00	0.60
x		Br	1.77	70	124.04	1.77	0.00
x		CoA	42.73	70	2990.83	42.73	0.00
x		Ed	0.49	82	40.44	0.00	0.49
x		EsA	112.88	76	8578.58	112.88	0.00
x		EsB	10.69	76	812.12	10.69	0.00
x		Gf	7.81	91	710.57	7.81	0.00
x		HaA	0.78	70	54.62	0.78	0.00
x		Ho	4.87	94	457.41	0.00	4.87
		Md	1.24	52	64.72	0.00	0.00
x		Pa	29.75	79	2349.99	0.00	29.75
x		Ph	0.67	88	58.67	0.67	0.00
x		RIB2	18.42	85	1566.04	18.42	0.00
		RIC2	3.71	79	293.03	0.00	0.00
x		Sb	6.05	79	477.58	6.05	0.00
x		TcA	11.27	64	721.24	11.27	0.00
x		TcB	29.75	64	1904.04	29.75	0.00
		TcC2	13.25	58	768.69	0.00	0.00
x		Tr	11.23	97	1089.57	11.23	0.00
x		Wh	0.97	100	97.02	0.97	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
					0.00	0.00	0.00
x					0.00	0.00	0.00
					0.00	0.00	0.00
		Total Acreage =	308.92	Total Products =	23212.25	255.01	35.71

	Acres	Percent
Farmable land in Government Jurisdiction	348,283	90
Farmable land as defined in FPPA	283,295	73
Acres of affected ground with rv greater than Item 1		

Item	Part V - Relative Value of Farmland to be Converted		75
Item	Total Acres in County With A Relative Value Equal to or Greater Than		176,335
Item	Part IV C	0.0887	0.089
Item	Part IV D Item		51

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request				
Name of Project GLBR Rail line		Federal Agency Involved				
Proposed Land Use		County and State Porter county, Indiana				
PART II (To be completed by NRCS)		Date Request Received By NRCS 3-21-16		Person Completing Form: RWN		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size 228 Ac	
Major Crop(s) Corn	Farmable Land In Govt. Jurisdiction Acres: 235292 % 88	Amount of Farmland As Defined in FPPA Acres: 207152 % 77				
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS 4/5/16				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly						
B. Total Acres To Be Converted Indirectly						
C. Total Acres In Site						
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland		572.91				
B. Total Acres Statewide Important or Local Important Farmland		55.96				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted		0.270				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value		51				
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)		82				
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use	(15)					
2. Perimeter In Non-urban Use	(10)					
3. Percent Of Site Being Farmed	(20)					
4. Protection Provided By State and Local Government	(20)					
5. Distance From Urban Built-up Area	(15)					
6. Distance To Urban Support Services	(15)					
7. Size Of Present Farm Unit Compared To Average	(10)					
8. Creation Of Non-farmable Farmland	(10)					
9. Availability Of Farm Support Services	(5)					
10. On-Farm Investments	(20)					
11. Effects Of Conversion On Farm Support Services	(10)					
12. Compatibility With Existing Agricultural Use	(10)					
TOTAL SITE ASSESSMENT POINTS	160	0	0	0	0	
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	82	0	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	0	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	82	0	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:						
Date:						

(See Instructions on reverse side)

Form AD-1006 (03-02)

Project:

F.P.P.A. CALCULATION WORKSHEET

Site =

Evaluator =

S P	Map Unit Symbol	Acreage	Relative Value	Acres x Value	Prime	StateWide
x	Ad	3.79	88	333.47	0.00	3.79
x	Ag	17.38	94	1634.14	17.38	0.00
x	BaA	1.40	75	104.68	1.40	0.00
x	Br	16.15	73	1178.83	16.15	0.00
x	DoA	11.47	85	974.78	11.47	0.00
x	Ed	6.08	82	498.95	0.00	6.08
x	EIA	42.12	90	3790.70	42.12	0.00
x	Gf	2.41	91	219.62	2.41	0.00
x	HaA	21.82	70	1527.15	21.82	0.00
x	HkA	5.30	94	498.23	5.30	0.00
	Hm	1.00	0	0.00	0.00	0.00
x	Ho	19.66	94	1847.71	0.00	19.66
x	LyA	36.30	88	3194.32	36.30	0.00
x	LyB	2.13	88	187.19	2.13	0.00
x	McB	33.00	82	2706.39	33.00	0.00
x	MrB2	7.70	76	585.37	7.70	0.00
	MsC3	0.65	64	41.48	0.00	0.00
x	Pa	26.43	73	1929.65	0.00	26.43
x	Pe	29.46	97	2857.85	29.46	0.00
x	Ph	32.08	88	2822.79	32.08	0.00
	PIB	0.71	45	31.94	0.00	0.00
x	RaB	10.21	88	898.87	10.21	0.00
x	RIA	14.18	88	1247.76	14.18	0.00
x	RIB	11.93	88	1050.08	11.93	0.00
	RmC2	3.05	79	240.90	0.00	0.00
x	Sb	260.43	79	20574.02	260.43	0.00
x	So	7.73	82	633.49	7.73	0.00
x	TcB	6.49	64	415.26	6.49	0.00
	TyA	1.51	52	78.32	0.00	0.00
x	Wh	2.06	100	205.78	2.06	0.00
x	Wt	1.16	94	109.29	1.16	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
				0.00	0.00	0.00
x				0.00	0.00	0.00
				0.00	0.00	0.00
Total Acreage =		635.79	Total Products =	52419.02	572.91	55.96

	Acres	Percent
Farmable land in Government Jursidiction	235,292	88
Farmable land as defined in FPPA	207,152	77
Acres of affected ground with rv greater than Item 1		

Ite	Part V - Relative Value of Farmland to be Converted	82
Ite	Total Acres in County With A Relative Value Equal to or Greater Than	121,131
Ite	Part IV C	0.2702 0.270
Ite	Part IV D Item	51

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project GLBR Rail line		Federal Agency Involved			
Proposed Land Use		County and State Lake county, Indiana			
PART II (To be completed by NRCS)		Date Request Received By NRCS 3-21-16		Person Completing Form: RWN	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		Acres Irrigated	
				Average Farm Size 224 Ac	
Major Crop(s) Corn	Farmable Land In Govt. Jurisdiction Acres: 266576 % 82		Amount of Farmland As Defined in FPPA Acres: 231037 % 71		
Name of Land Evaluation System Used LESA	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS 4/5/16		
PART III (To be completed by Federal Agency)			Alternative Site Rating		
			Site A	Site B	Site C
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
PART IV (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland			451.83		
B. Total Acres Statewide Important or Local Important Farmland			5.7		
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted			0.182		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value			54		
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)			80		
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160	0	0	0
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100	80	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	0	0	0
TOTAL POINTS (Total of above 2 lines)		260	80	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					
Date:					

(See Instructions on reverse side)

Form AD-1006 (03-02)

Project: Lake glbr rail line

F.P.P.A. CALCULATION WORKSHEET

Site = A

Evaluator = RWN

S P	Map Unit Symbol	Acreage	Relative Value	Acres x Value	Prime	StateWide
x	Ad	0.72	86	61.95	0.72	0.00
x	Al	22.95	89	2042.46	22.95	0.00
x	Bn	3.64	86	313.40	3.64	0.00
x	Br	1.13	71	80.22	1.13	0.00
x	Ca	3.28	89	292.24	0.00	3.28
x	Da	1.17	94	109.61	1.17	0.00
x	De	3.61	80	288.73	3.61	0.00
x	DoA	41.77	74	3090.64	41.77	0.00
x	DoB	18.10	74	1339.48	18.10	0.00
x	DrB	2.19	80	174.97	2.19	0.00
x	EI	60.38	85	5132.52	60.38	0.00
x	Lm	0.05	74	3.67	0.00	0.05
x	LyA	12.02	83	997.84	12.02	0.00
x	LyB	6.99	83	579.97	6.99	0.00
x	MaB2	86.77	74	6420.86	86.77	0.00
x	Mo	16.04	91	1459.79	16.04	0.00
x	Mr	33.34	86	2867.05	33.34	0.00
x	Ms	4.87	91	442.72	4.87	0.00
x	Mt	1.56	91	141.60	0.00	1.56
x	MuB	1.18	74	87.37	1.18	0.00
	MuC2	0.71	66	46.96	0.00	0.00
	MvB3	4.43	66	292.28	0.00	0.00
	MvC3	4.76	60	285.69	0.00	0.00
x	OsA	5.24	63	330.30	5.24	0.00
x	OsB	19.80	66	1306.64	19.80	0.00
	OsC	10.65	57	607.07	0.00	0.00
x	Pc	54.22	91	4934.05	54.22	0.00
x	Rn	40.98	100	4097.91	40.98	0.00
x	Ta	0.81	83	67.23	0.00	0.81
x	TcA	6.96	63	438.48	6.96	0.00
x	TcB	7.77	63	489.60	7.77	0.00
	TcC	3.29	57	187.25	0.00	0.00
	TyB	1.73	29	50.29	0.00	0.00
	W	2.19	0	0.00	0.00	0.00
x	Wa	0.00	94	0.00	0.00	0.00
				0.00	0.00	0.00
	Total Acreage =	485.29	Total Products =	39060.86	451.83	5.70

	Acres	Percent
Farmable land in Government Jursidiction	266,576	82
Farmable land as defined in FPPA	231,037	71
Acres of affected ground with rv greater than Item 1		

Ite	Part V - Relative Value of Farmland to be Converted	80
Ite	Total Acres in County With A Relative Value Equal to or Greater Than	143,944
Ite	Part IV C	0.1820 0.182
Ite	Part IV D Item	54

Farmland Protection Policy Act FPPA

This information is included for your assistance in completing sections I, III, VI and VII of Form AD-1006.

Natural Resources Conservation Service
6013 Lakeside Boulevard
Indianapolis, IN 46278

Rick Neilson
317-295-5875
rick.neilson@in.usda.gov

Subpart C - Exhibits

401.24

401.24 Farmland Protection Policy Act (FPPA) Rule.

(c) The Act and these regulations do not authorize the Federal Government in any way to regulate the use of private or non-Federal land, or in any way affect the property rights of owners of such land. In cases where either a private party or a non-Federal unit of government applies for Federal assistance to convert farmland to a nonagricultural use, the Federal agency should use the criteria set forth in this part to identify and take into account any adverse effects on farmland of the assistance requested and develop alternative actions that would avoid or mitigate such adverse effects. If, after consideration of the adverse effects and suggested alternatives, the landowners want to proceed with conversion, the Federal agency, on the basis of the analysis set forth in Sec. 658.4 and any agency policies or procedures for implementing the Act, may provide or deny the requested assistance. Only assistance and actions that would convert farmland to nonagricultural uses are subject to this Act. Assistance and actions related to the purchase, maintenance, renovation, or replacement of existing structures and sites converted prior to the time of an application for assistance from a Federal agency, including assistance and actions related to the construction of minor new ancillary structures (such as garages or sheds), are not subject to the Act.

(d) Section 1548 of the Act, as amended, 7 U.S.C. 4209, states that the Act shall not be deemed to provide a basis for any action, either legal or equitable, by any person or class of persons challenging a Federal project, program, or other activity that may affect farmland. Neither the Act nor this rule, therefore, shall afford any basis for such an action. However, as further provided in section 1548, the governor of an affected state, where a state policy or program exists to protect farmland, may bring an action in the Federal district court of the district where a Federal program is proposed to enforce the requirements of section 1541 of the Act, 7 U.S.C. 4202, and regulations issued pursuant to that section.

Sec. 658.4 Guidelines for use of criteria.

As stated above and as provided in the Act, each Federal agency shall use the criteria provided in Sec. 658.5 to identify and take into account the adverse effects of Federal programs on the protection of farmland. The agencies are to consider alternative actions, as appropriate, that could lessen such adverse effects, and assure that such Federal programs, to the extent practicable, are compatible with State, unit of local government and private programs and policies to protect farmland. The following are guidelines to assist the agencies in these tasks:

(a) An agency may determine whether or not a site is farmland as defined in Sec. 658.2(a) or the agency may request that NRCS make such a determination. If an agency elects not to make its own determination, it should make a request to NRCS on Form AD-1006, the Farmland Conversion Impact Rating Form, available at NRCS offices, for determination of whether the site is farmland subject to the Act. If neither the entire site nor any part of it is subject to the Act, then the Act will not apply and NRCS will so notify the agency. If the site is determined by NRCS to be subject to the Act, then NRCS will measure the relative value of the site as farmland on a scale of 0 to 100 according to the information sources listed in Sec. 658.5(a). NRCS will respond to these requests within 10 working days of their receipt except that in cases where a site visit or land evaluation system design is needed, NRCS will respond in 30 working days. In the event that NRCS fails to complete its response within the required period, if further delay would interfere with construction activities, the agency should proceed as though the site were not farmland.

(b) The Form AD 1006, returned to the agency by NRCS will also include the following incidental information: The total amount of farmable land (the land in the unit of local government's jurisdiction that is capable of producing the commonly grown crop); the percentage of the jurisdiction that is farmland

401-33

Part 401 - General

401.24

401.24 Farmland Protection Policy Act (FPPA) Rule.

covered by the Act; the percentage of farmland in the jurisdiction that the project would convert; and the percentages of farmland in the local government's jurisdiction with the same or higher relative value than the land that the project would convert. These statistics will not be part of the criteria scoring process, but are intended simply to furnish additional background information to Federal agencies to aid them in considering the effects of their projects on farmland.

(c) After the agency receives from NRCS the score of a site's relative value as described in Sec. 658.4(a) and then applies the site assessment criteria which are set forth in Sec. 658.5 (b) and (c), the agency will assign to the site a combined score of up to 260 points, composed of up to 100 points for relative value and up to 160 points for the site assessment. With this score the agency will be able to identify the effect of its programs on farmland, and make a determination as to the suitability of the site for protection as farmland. Once this score is computed, USDA recommends:

(1) Sites with the highest combined scores are regarded as most suitable for protection under these criteria and sites with the lowest scores, as least suitable.

(2) Sites receiving a total score of less than 160 need not be given further consideration for protection and no additional sites need to be evaluated.

(3) Sites receiving scores totaling 160 or more is given increasingly higher levels of consideration for protection.

(4) When making decisions on proposed actions for sites receiving scores totaling 160 or more, agency personnel consider:

(i) Use of land that is not farmland or use of existing structures;

(ii) Alternative sites, locations and designs that would serve the proposed purpose but convert either fewer acres of farmland or other farmland that has a lower relative value;

(iii) Special siting requirements of the proposed project and the extent to which an alternative site fails to satisfy the special siting requirements as well as the originally selected site.

(d) Federal agencies may elect to assign the site assessment criteria relative weightings other than those shown in Sec. 658.5 (b) and (c). If an agency elects to do so, USDA recommends that the agency adopt its alternative weighting system (1) through rulemaking in consultation with USDA, and (2) as a system to be used uniformly throughout the agency. USDA recommends that the weightings stated in Sec. 658.5 (b) and (c) be used until an agency issues a final rule to change the weightings.

(e) It is advisable that evaluations and analyses of prospective farmland conversion impacts be made early in the planning process before a site or design is selected, and that, where possible, agencies make the FPPA evaluations part of the National Environmental Policy Act (NEPA) process. Under the agency's own NEPA regulations, some categories of projects may be excluded from NEPA which may still be covered under the FPPA. Section 1540(c)(4) of the Act exempts projects that were beyond the planning stage and were in either the active design or construction state on the effective date of the Act. Section 1547(b) exempts acquisition or use of farmland for national defense purposes. There are no other exemptions of projects by category in the Act.

(f) Numerous States and units of local government are developing and adopting Land Evaluation and Site assessment (LESA) systems to evaluate the productivity of agricultural land and its suitability for conversion to nonagricultural use. Therefore, States and units of local government may have already performed an evaluation using criteria similar to those contained in this rule applicable to Federal agencies. USDA recommends that where sites are to be evaluated within a jurisdiction having a State or local LESA system that has been approved by the governing body of such jurisdiction and has been placed on the NRCS State conservationist's list as one which meets the purpose of the FPPA in balance with other public policy objectives, Federal agencies use that system to make the evaluation.

Subpart C - Exhibits

401.24

401.24 Farmland Protection Policy Act (FPPA) Rule.

(g) To meet reporting requirements of section 1546 of the Act, 7 and for data collection purposes, after the agency has made a final decision on a project in which one or more of the alternative sites contain farmland subject to the FPPA, the agency is requested to return a copy of the Form AD-1006, which indicates the final decision of the agency, to the NRCS field office.

(h) Once a Federal agency has performed an analysis under the FPPA for the conversion of a site, that agency's, or a second Federal agency's determination with regard to additional assistance or actions on the same site do not require additional redundant FPPA analysis.

Sec. 658.5 Criteria.

This section states the criteria required by section 1541(a) of the Act, 7 U.S.C. 4202(a). The criteria were developed by the Secretary of Agriculture in cooperation with other Federal agencies. They are in two parts, (1) the land evaluation criterion, relative value, for which NRCS will provide the rating or score, and (2) the site assessment criteria, for which each Federal agency must develop its own ratings or scores.

The criteria are as follows:

(a) Land Evaluation Criterion--Relative Value. The land evaluation criterion is based on information from several sources including national cooperative soil surveys or other acceptable soil surveys, NRCS field office technical guides, soil potential ratings or soil productivity ratings, land capability classifications, and important farmland determinations. Based on this information, groups of soils within a local government's jurisdiction will be evaluated and assigned a score between 0 to 100, representing the relative value, for agricultural production, of the farmland to be converted by the project compared to other farmland in the same local government jurisdiction. This score will be the Relative Value Rating on Form AD 1006.

(b) Site Assessment Criteria. Federal agencies are to use the following criteria to assess the suitability of each proposed site or design alternative for protection as farmland along with the score from the land evaluation criterion described in Sec. 658.5(a). Each criterion will be given a score on a scale of 0 to the maximum points shown. Conditions suggesting top, intermediate and bottom scores are indicated for each criterion. The agency would make scoring decisions in the context of each proposed site or alternative action by examining the site, the surrounding area, and the programs and policies of the State or local unit of government in which the site is located. Where one given location has more than one design alternative, each design should be considered as an alternative site. The site assessment criteria are:

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent--15 points
90 to 20 percent--14 to 1 point(s)
Less than 20 percent--0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent--10 points
90 to 20 percent--9 to 1 point(s)
Less than 20 percent--0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?

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Part 401 - General

401.24

401.24 Farmland Protection Policy Act (FPPA) Rule.

More than 90 percent--20 points
90 to 20 percent--19 to 1 points(s)
Less than 20 percent--0 points

(4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected--20 points
Site is not protected--0 points

(5) How close is the site to an urban built-up area?

The site is 2 miles or more from an urban built-up area--15 points
The site is more than 1 mile but less than 2 miles from an urban built-up area--10 points
The site is less than 1 mile from, but is not adjacent to an urban built-up area--5 points
The site is adjacent to an urban built-up area--0 points

(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

None of the services exist nearer than 3 miles from the site--15 points
Some of the services exist more than 1 but less than 3 miles from the site--10 points
All of the services exist within 1/2 mile of the site--0 points

(7) Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRC's field offices in each State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

As large or larger--10 points
Below average--deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average--9 to 0 points

(8) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project--10 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project--9 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project--0 points

(9) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

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Subpart C - Exhibits

401.24

401.24 Farmland Protection Policy Act (FPPA) Rule.

All required services are available--5 points
Some required services are available--4 to 1 point(s)
No required services are available--0 points

(10) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment--20 points
Moderate amount of on-farm investment--19 to 1 point(s)
No on-farm investment--0 points

(11) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted--10 points
Some reduction in demand for support services if the site is converted--9 to 1 point(s)
No significant reduction in demand for support services if the site is converted--0 points

(12) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland--10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland--9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland--0 points

(c) Corridor-type Site Assessment Criteria. The following criteria are to be used for projects that have a linear or corridor-type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor-type site or design alternative for protection as farmland along with the land evaluation information described in Sec. 658.4(a). All criteria for corridor-type sites will be scored as shown in Sec. 658.5(b) for other sites, except as noted below:

- (1) Criteria 5 and 6 will not be considered.
- (2) Criterion 8 will be scored on a scale of 0 to 25 points, and criterion 11 will be scored on a scale of 0 to 25 points.

Form AD-1006

U.S. Department of Agriculture				
FARMLAND CONVERSION IMPACT RATING				
PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request		
Name Of Project		Federal Agency Involved		
Proposed Land Use		County And State		
PART II (To be completed by NRCS)		Date Request Received By NRCS		
Does the site contain prime, unique, statewide or local important farmland? (if no, the FPPA does not apply - do not complete additional parts of this form)		Yes <input type="checkbox"/>	No <input type="checkbox"/>	Acres Impacted Average Farm Size
Major Crops:	Farmable Land In Govt. Jurisdiction Acres %	Amount Of Farmland As Defined In FPPA Acres %		
Name Of Land Evaluation System Used	Name Of Local Site Assessment System	Date Land Evaluation Returned By NRCS		
PART III (To be completed by Federal Agency)		Administrative Site Rating		
A. Total Acres To Be Converted Directly		Site A	Site B	Site C
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site		0.0	0.0	0.0
PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by NRCS) Land Evaluation Criterion				
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)		0	0	0
PART VI (To be completed by Federal Agency)				
Site Assessment Criteria (These criteria are optional - use if appropriate)		Maximum Points		
1. Area In Nonurban Use	15			
2. Perimeter In Nonurban Use	10			
3. Percent Of Site Being Farmed	20			
4. Protection Provided By State And Local Government	20			
5. Distance From Urban Suburb Area	15			
6. Distance To Urban Support Services	15			
7. Size Of Present Farm Unit Compared To Average	10			
8. Creation Of Nonfarmable Farmland	10			
9. Availability Of Farm Support Services	5			
10. On Farm Investments	20			
11. Effects Of Conversion On Farm Support Services	10			
12. Compatibility With Existing Agricultural Use	10			
TOTAL SITE ASSESSMENT POINTS		100	0	0
PART VII (To be completed by Federal Agency)				
Relative Value Of Farmland (From Part VI)		100	0	0
Total Site Assessment Points That Showed A Loss Of Farmland		100	0	0
TOTAL POINTS (Total of above 2 items)		200	0	0
Site Selected		Date Of Selection		
Reason For Selection		Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input type="checkbox"/>		
<p>Please Attachments on reverse side</p> <p>Form AD-1006 (1-83)</p>				



Completing the AD-1006/CPA-106

- Where to find the form: The form should be provided by the originating agency. NRCS has this as a paper copy or on a CD.
- NRCS is initiating an electronic submission process for the AD-1006. Maps and specific site information will still be needed to process the request. The electronic submission process will facilitate tracking and reporting responsibilities.

Steps in processing the AD-1006/CPA-106

- Originating agency: complete parts I and III and send to NRCS
- NRCS: Consider using register to track AD1006/CPA106 (see exhibit)
- NRCS will complete parts II, IV, V
- NRCS steps to complete form
- Part II: date received by NRCS

Information in this section should be in the ^{state} local field office. If this is not available, contact soils section in state office for guidance.

- Part IV. This information should be in the ^{state} local field office. If this is not available, contact appropriate soil scientist.
- Part V. This information should be in the ^{state} local field office. If it is not available, contact appropriate soil scientist.
- NRCS returns AD-1006/CPA-106 to originating agency
- Part VI and VII: completed by originating agency (section 658.5 of Farmland Protection Policy Act list the specific criteria for scoring)
- Alternative Site Rating: If the total SA and LE score exceeds 160 alternative sites must be considered. 404.5 (310-GM) requires 2 alternatives for scores between 160 and 220 and 3 alternatives for scores over 220.
- Originating agency returns completed form to NRCS

Completing Form AD-1006, Steps 1-7

- Step 1. Federal ^{Funding} agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural used, will initially complete Parts I and III of this form.
- Step 2. Originator will send three copies of AD 1006 together with maps indicating locations of the site(s) to the Natural Resources Conservation Service (NRCS) ^{State} ~~local field~~ office and retain one copy for your files. A list of NRCS field offices is available from the NRCS State Conservationist in each or from the NRCS website.
- Step 3. NRCS will return 2 copies of the AD1006 to the originating federal agency within 10 working days of receipt of the request unless a land evaluation has not been completed or a site visit is required (30 working days are allowed if a land evaluation must be completed or a site visit must be made). If more than 10 days are required, NRCS will notify the agency of the need for additional time, up to 30 working days. See exhibit 403.26.
- Step 4. In cases where farmland covered by the FPPA will be converted by the proposed project; NRCS field offices will complete parts II, IV, and V of the form.
- Step 5. NRCS will return 2 copies of the form to the federal agency involved in the project. (One copy will be retained for NRCS records).
- Step 6. The federal agency involved in the proposed project will complete parts VI and VII of the form.
- Step 7. The federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agencies internal policies.

